

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON KEAHI ANTHONY,

Defendant.

CR-12-05-H-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 17, 2022. (Doc. 62.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 13, 2022. (Doc. 59.) The United States accused Jason Anthony (Anthony) of violating his

conditions of supervised release 1) by possessing methamphetamine; 2) by using methamphetamine on two separate occasions 3) by failing to report to his probation officer as directed on three separate occasions; 4); by submitting a diluted urine sample; 5) by failing to comply with the terms of his home confinement; 6) knowingly associating with a convicted felon; and 7) by using cocaine. (Doc. 52.)

At the revocation hearing, Anthony admitted to violating the conditions of his supervised release 1) by possessing methamphetamine; 2) by using methamphetamine on two separate occasions 3) by failing to report to his probation officer as directed on three separate occasions; 4); by submitting a diluted urine sample; 5) by failing to comply with the terms of his home confinement; 6) knowingly associating with a convicted felon; and 7) by using cocaine. Judge Johnston found that the violations Anthony admitted proved to be serious and warranted revocation, and recommended revocation of Anthony's supervised release and recommended that Anthony receive a custodial sentence of 5 months, with 43 months of supervised release to follow. (Doc. 62.) Anthony was advised of his right to appeal and his right to allocute before the undersigned. The violations prove serious and warrant revocation of Anthony's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 62) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant Jason Keahi Anthony be sentenced to the Bureau of Prisons for 5 months, with 43 months of supervised release to follow.

DATED this 2nd day of November, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court